

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MICHELLE L. ALMANZA,)	
)	
Plaintiff,)	
v.)	CIV. NO.: 3:15-cv-389
)	(VARLAN/GUYTON)
JEFFERSON B. SESSIONS III,)	
Attorney General,)	
United States Department of Justice,)	
)	
Defendant.)	

DEFENDANT’S RESPONSE PURSUANT TO ORDER ON SCOPE OF DISCOVERY

The United States Department of Justice (hereinafter “Defendant”), by and through Attorney General Jefferson B. Sessions, United States Attorney Benjamin C. Glassman, and Special Attorneys Christopher R. Yates and Brandi M. Stewart, hereby responds to this Court’s “Order,” filed September 5, 2017, (ECF No. 18), pursuant to a telephonic conference of the parties on August 18, 2017. Instruction therein stated, verbatim:

With respect to the EARS Review, the Plaintiff explained that it was a performance audit of the office performed by an outside organization in 2016. The Defendants are **INSTRUCTED** to determine whether the EARS Review addresses performances during the relevant time period described above. The Defendants **SHALL** notify the Court and the Plaintiff of their determination within fourteen (14) days of entry of this Order. The Court will then determine whether an in-camera review is necessary. *See* ECF No. 18.

By answer to the foregoing instruction by this Court, attached please find the “Declaration of William R. Chambers, Jr.,” Assistant United States Attorney for the Northern District of Alabama and EARS Program Manager for the United States Department of Justice, Executive Office for the United States Attorneys (EOUSA) in Washington, D.C.

As an individual qualified to attest to same, Mr. Chambers affirms that, on the basis of his review of the 2016 EARS Report for the Eastern District of Tennessee, and “[his] personal, first-hand knowledge of same, there is absolutely no fact, statement, statistic, or reference in the 2016 EARS Report for the Eastern District of Tennessee addressing the performance of any employee of the United States Attorney’s Office of the Eastern District of Tennessee for the relevant time period of January 1, 2012, through and including December 28, 2014.”

Defendant respectfully submits that the foregoing information and attached declaration is satisfaction of the quoted portion of this Court’s Sept. 5, 2017, Order, (ECF No. 18), and remain at the service of this Court should it have questions, concerns, or further instruction.

Respectfully submitted,

JEFFERSON B. SESSIONS III
ATTORNEY GENERAL

BENJAMIN C. GLASSMAN
UNITED STATES ATTORNEY

s/ Christopher R. Yates
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-AND-

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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Jennifer B. Morton, Esq. and Maha M. Ayesh, Esq., Counsel for Plaintiff.

s/Christopher R. Yates
CHRISTOPHER R. YATES (0064776)
Assistant United States Attorney